

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 06-1212

Witherspoon v. State of DE
(D.C. No. 04-cv-1424)

To: Clerk

1) Application to Proceed In Forma Pauperis

The foregoing Motion is granted. This appeal will be submitted to a panel of this Court for determination of whether a certificate of appealability should issue.

For the Court,

/s/Marcia M. Waldron
Clerk

Dated: February 17, 2006
tmk/cc: Mr. Eric Witherspoon
Thomas E. Brown, Esq.